

# DOES MY PROJECT NEED A HEARING?

San Luis Obispo County Department of Planning and Building

1/1/06

Applications can be reviewed and approved in a number of different ways. There are applications that are approved at a staff level and applications that require public hearings in front of the Planning Commission. The ordinances use the term "Review Authority" to describe the individual or group identified as having the authority to take action to approve, approve subject to conditions or disapprove a land use permit, land division, and general plan or ordinance amendment.

**Planning Director** - The Planning Director has the authority to take action on adjustments to ordinance requirements where that adjustment is specified in the ordinance, a determination on whether an application is complete for processing, Certificates of Compliance, Site Plans, and any interpretations of the provisions of county ordinances. These actions typically occur through a staff level decision on the behalf of the Director. The Planning Director also is given authority to act on Lot Line Adjustments that are exempt from CEQA and located in the Inland areas of the county, however, this is done through the Hearing Officer acting on behalf of the Director.

**Hearing Officer** - The Hearing Officer makes decisions on Road Names, Lot Line Adjustments (that are exempt from CEQA and located in the Inland portions of the county), and Minor Use Permits. Action occurs after an individual public hearing where requested or through approval of a group of items where no public hearing was requested. A senior staff member is assigned the role of Hearing Officer as appointed by the Planning Director. **Actions of the Hearing Officer occur at the Planning Department Hearing held on the first and third Fridays of each month.**

**Subdivision Review Board (SRB)** - The SRB makes decisions on Conditional Certificates of Compliance and Parcel Maps, and Lot Line Adjustments (that are not exempt from CEQA). The SRB makes decisions after an individual public hearing on each item on the agenda. The SRB is made up of a representative from Public Works, Environmental Health, the Air Pollution Control District, Department of Planning and Building (Environmental Division) and is chaired by the Planning Director or their appointee. **The SRB meets once a month on the first Monday that is not a holiday.**

**Planning Commission** - The Planning has the authority to make decisions on Conditional Use Permits, Development Plans, Variances, Tract Maps and Minor Use Permits where the Hearing Officer has made the decision to "bump" the item to Planning Commission for action. In addition, they make recommendations to the Board of Supervisors on General Plan and Ordinance Amendments. The Planning Commission makes decisions after an individual public hearing on each item on the agenda. The Planning Commission is appointed by the Board of Supervisors and includes a member from each Supervisorial District. **The Planning Commission meets on the second and fourth Thursdays of each month.**

**Board of Supervisors** - The Board of Supervisors make final decisions on all appeals, and General Plan and Ordinance Amendments. They make decisions after an individual public hearing on each item on the agenda. The Board of Supervisors is elected and has a representative from each of the five supervisorial districts in the county. **The Board meets each Tuesday except for Tuesdays after a Monday holiday.**

	Role of Review Authority (1)			
	Director / Staff/ Hearing Officer	Subdivision Review Board	Planning Commission	Board of Supervisors
Type of Decision				
Administrative and Amendments				
Appeals	Recommend		Appeal	Appeal
Interpretations	Decision (2)		Appeal	Appeal
Adjustment	Decision (2		Appeal	Appeal
General Plan Amendment	Recommend		Recommend	Decision
Land Use Ordinance Amendment	Recommend		Recommend	Decision
Specific Plan	Recommend		Recommend	Decision
Land Use Permits and Development Approvals				
Zoning Clearance	Decision (2)		Appeal	Appeal
Site Plan Review	Decision (2)		Appeal	Appeal
Minor Use Permit	Decision (2)		Decision (2)	Appeal
Conditional Use Permit	Recommend		Decision	Appeal
Variance	Recommend		Decision	Appeal
Road Naming	Decision (2)		Appeal	Appeal
Curb, Gutter & Sidewalk Waiver	Decision (2)		Appeal	Appeal
Land Divisions				
Certificate of Compliance	Decision			Appeal
Conditional Certificate of Compliance		Decision		Appeal
Lot line Adjustment (inland & exempt from CEQA)	Decision			Appeal
Lot Line Adjustment (coastal or not exempt from CEQA)		Decision		Appeal

	<b>Role of Review Authority (1)</b>			
	<b>Director / Staff/ Hearing Officer</b>	<b>Subdivision Review Board</b>	<b>Planning Commission</b>	<b>Board of Supervisors</b>
Parcel Map		Decision		Appeal
Tract Map			Decision	Appeal
Exceptions (Parcel Map)		Decision		Appeal
Exceptions (Tract Map)			Decision	Appeal
Road Exceptions (Parcel Map)		Decision		Appeal
Road Exceptions (Tract Map)			Decision	Appeal
Voluntary Mergers	Decision			Appeal

**Notes:**

(1) "Recommend" means that the Review Authority makes a recommendation to a higher decision-making authority; "Decision" means that the Review Authority makes the final decision on the matter; "Appeal" means that the Review Authority may consider and decide upon appeals to the decision of an earlier decision-making body

(2) The Director may refer any matter subject to his/her decision to the Commission, so that the Commission may instead make the decision.